

**CASE NUMBER:** ZON2023-00009 (City)

**APPLICANT/AGENT:** Fairview Development Partners LLC/Brian Arenson (Contract Purchaser)  
 Baughman Company/Philip Meyer (Agent)

**REQUEST:** TF-3 Two-Family Residential District

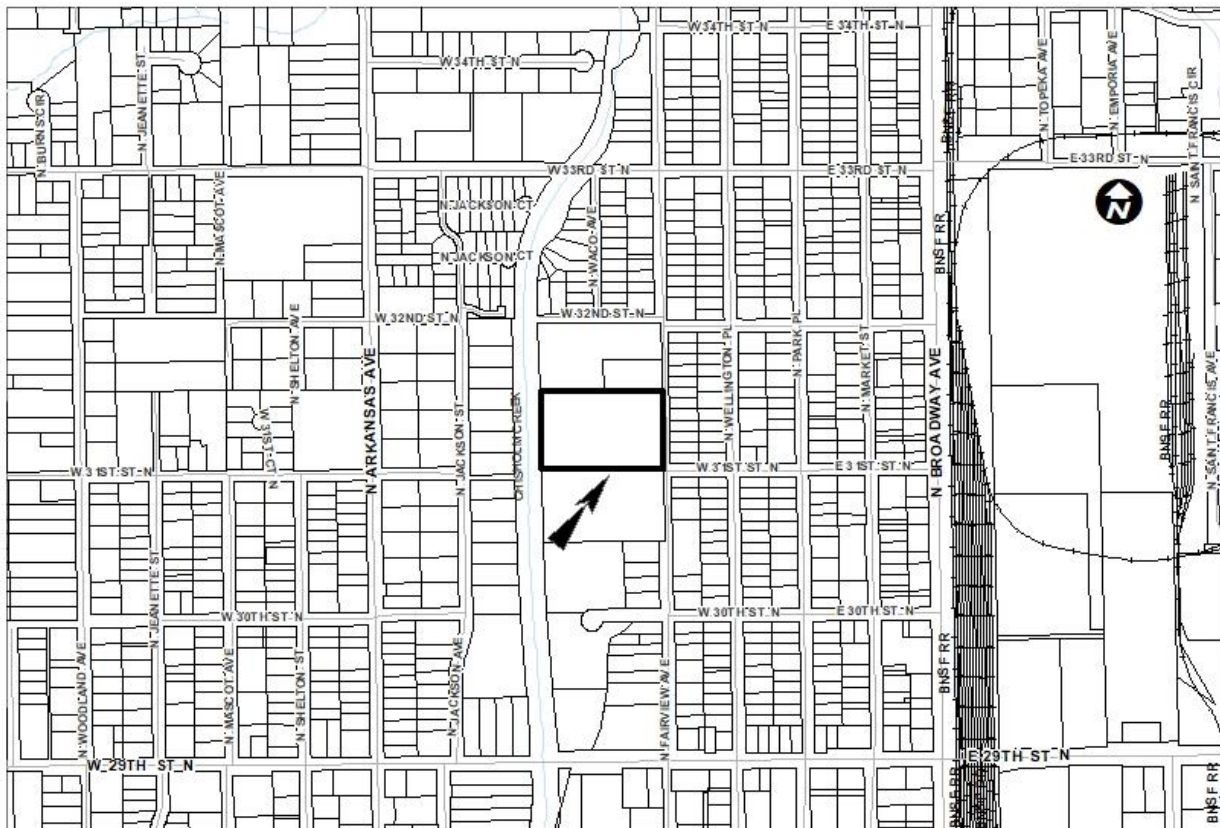
**CURRENT ZONING:** SF-5 Single-Family Residential District

**SITE SIZE:** 4.57 acres

**LOCATION:** Generally located on the northwest corner of West 31<sup>st</sup> Street North and North Fairview Avenue (3205 North Fairview Avenue).

**PROPOSED USE:** Duplex development.

**RECOMMENDATION:** Approve.



**BACKGROUND:** The applicant is requesting a zone change from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District on an unplatted lot totaling 4.57 acres (198,995 square feet) in size. The property is generally located on the northwest corner of West 31<sup>st</sup> Street North and North Fairview Avenue (3205 North Fairview Avenue). The subject site is currently developed with a single-family residence.

The applicant has indicated they intend to use the site for duplex development. The applicant has not submitted a site plan or elevations for the proposed development. Should the zone change request be approved, there will be no change in setbacks, parking requirements, or maximum height. SF-5 Single-Family Residential District requires a 5,000 square foot minimum lot size, while TF-3 Two-Family Residential District requires a 3,500 square foot minimum lot size per unit. If the lot is split, the subject site could accommodate up to 28 duplexes, or 56 dwelling units.

The character of the neighborhood is residential. Properties to the north, south, east and west are all zoned SF-5 Single-Family Residential District and are developed with single-family residences. Within one block east of the subject site are two properties zoned TF-3 Two-Family Residential District; one of which is developed with a duplex. The requested zone change is thus not introducing a new use to the area.

**CASE HISTORY:** The property is currently unplatted and will need to be platted prior to the issuance of building permits. There are no zoning cases associated with this property.

**ADJACENT ZONING AND LAND USE:**

NORTH:	SF-5	Single-family residences
SOUTH:	SF-5	Single-family residence
EAST:	SF-5	Single-family residences
WEST:	SF-5	Single-family residences

**PUBLIC SERVICES:** The subject site currently has access to North Fairview Avenue, a two-way gravel street with no sidewalks on either side. The subject site has access to water, but sewer services will need to be extended onto the site. Wichita Transit serves this site within two blocks north, on the northeast corner of West 33<sup>rd</sup> Street North and North Wellington Place.

**CONFORMANCE TO PLANS/POLICIES:** The requested zone change is in conformance with the *Community Investments Plan*. The *Community Investments Plan* (the Wichita-Sedgwick County Comprehensive Plan) recommends the subject site as primarily appropriate for both “Residential” and “New Employment”. The *Plan* defines “Residential” as “*areas that reflect the full diversity of residential development densities and types typically found in a large urban municipality.*” Duplex development is an appropriate use for this land.

**RECOMMENDATION:** Based upon information available prior to the public hearings, planning staff recommends that the request be **APPROVED**.

This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** The character of the neighborhood is residential. Properties to the north, south, east and west are all zoned SF-5 Single-Family Residential District and are developed with single-family residences. Within one block east of the subject site are two properties zoned TF-3 Two-Family Residential District; one of which is developed with a duplex.
2. **The suitability of the subject property for the uses to which it has been restricted:** The property is presently zoned SF-5 Single-Family Residential District, which is suitable for a limited number of residential, public, and civic uses, including single-family residences.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** The property will bring more development to an underdeveloped lot. There are two properties zoned TF-3 Two-Family

Residential District within one block east of the subject site. Therefore, duplexes are not a new type of development to the area.

4. **Length of time subject property has remained vacant as zoned:** The property is currently not vacant. According to historic aerial maps, the property has been developed with a single-family structure since the 1960s. However, the architectural style of the single-family residence suggests this property was built as late as the 1930s.
5. **Relative gain to public health, safety, and welfare as compared to the loss in value or the hardship imposed upon the applicant:** Approval would permit new development in an area on an underdeveloped parcel that is also appropriate for such development. Denial may represent a loss of economic opportunity for the applicant.
6. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The requested zoning would continue to allow the property to be in conformance with the *Community Investments Plan*, as discussed in the staff report.
7. **Impact of the proposed development on community facilities:** The Planning Department does not anticipate the requested zone change will have a significant impact on community facilities.
8. **Opposition or support of neighborhood residents:** At the time the staff report was prepared, staff has not received any comments from the public on the requested zone change.

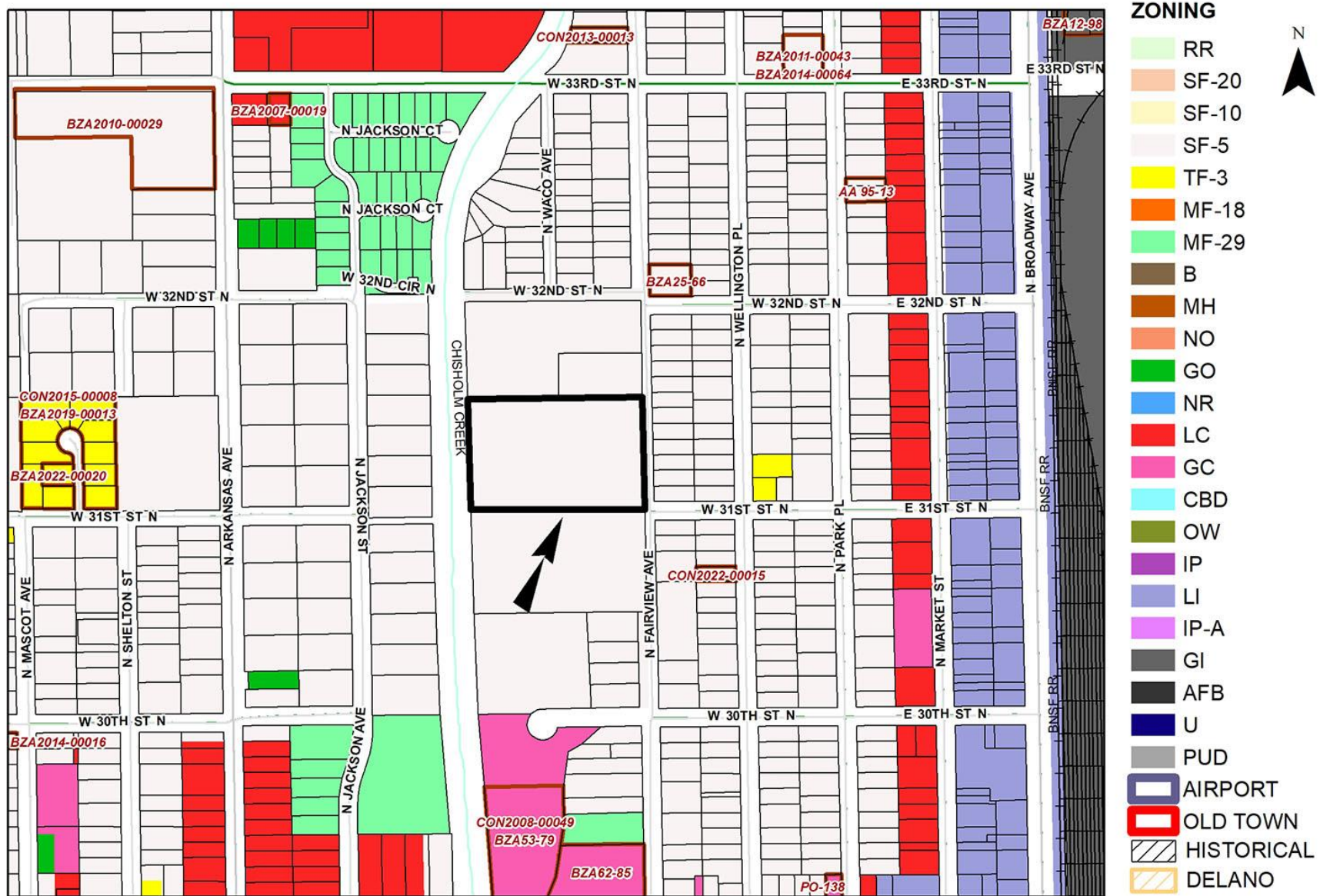
Staff Report Attachments:

1. Aerial Map
2. Zoning Map
3. Land Use Map
4. Site Plan
5. Site Photos













**Looking west towards site**



**Looking south away from site**



**Looking east away from site**



**Looking north away from site**

